

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| ANDREA K. TANTAROS, | : | |
| | : | |
| Petitioner, | : | |
| | : | 25-CV-961 (VSB) |
| - against - | : | |
| | : | <u>ORDER</u> |
| FOX NEWS NETWORK, LLC, <i>et al.</i> , | : | |
| | : | |
| Respondents. | : | |
| -----X | : | |

VERNON S. BRODERICK, United States District Judge:

On February 5, 2025, I stated that “I will not grant [pro se Petitioner’s] ex parte request for a temporary restraining order and preliminary injunction when the Amended Petition has not been served on Respondents,” and directed Petitioner to serve the Respondents with the Amended Petition. (Doc. 9.) Respondents Fox News Network, LLC, Dianne Brandi, Suzanne Scott, Irena Briganti, and William Shine have since waived service, and their response to the Amended Petition is due either April 7 or April 8, 2025. (*See* Docs. 12– 5, 20.)

Petitioner filed affidavits of service with regard to Respondent Elizabeth Ailes, on behalf of the Estate of Roger Ailes. (Docs. 24–25.) Petitioner also filed a motion for an order granting alternative service for Respondent Elizabeth Ailes, on behalf of the Estate of Roger Ailes. (Doc. 26.) On February 19, 2025, Brendan Carroll (from Quinn Emanuel) filed a letter stating that Quinn Emanuel “was counsel to the former Estate of Roger Ailes,” and that service was ineffective because the Estate of dissolved and wound up years ago after all of the assets were distributed. (Doc. 28.) Mr. Carroll’s letter included three attachments: (1) an email dated February 10, 2025 from Mr. Carroll to Petitioner stating: “As you know, the Estate of Roger

Ailes was dissolved years ago and no longer exists as an entity. We therefore cannot accept service on its behalf”; (2) an Order of Discharge dated November 23, 2021 from Judge Maxine Cheesman from a Florida probate court discharging Elizabeth Ailes as Personal Representative of the Estate of Roger Ailes after a finding that, among other things, “the estate was fully administered and properly distributed,” and “that claims of creditors have been paid”; and (3) an Order dated April 23, 2019 from Judge Cheesman finding that Petitioner’s claims in that court were “barred and stricken.” (*Id.*)

On March 4, 2024, Petitioner moved to expedite a ruling on her request for a temporary restraining order. (Doc. 29.) Respondents responded, stating that they planned to file their respective responses to the Amended Complaint by their respective April 2025 deadlines, but that they are willing to respond to the requested temporary restraining order if I issue a scheduling order. (Docs. 30-31.)

Accordingly, it is hereby:

ORDERED that Petitioner submit a 3-page letter by March 14, 2025, explaining (1) why service on Respondent Elizabeth Ailes, on behalf of the Estate of Roger Ailes, was proper given Quinn Emanuel’s contention that the Estate of Roger Ailes has been dissolved for several years, and (2) why I should not dismiss the case against Respondent Elizabeth Ailes, on behalf of the Estate of Roger Ailes.

IT IS FURTHER ORDERED that, Respondents respond to Petitioner’s request for a temporary restraining order by March 21, 2025. Petitioner shall then submit a reply in support of her request for a temporary restraining order by March 28, 2025. The parties are to comply with Local Civil Rule 7.1(c) regarding the word-limit and length of memoranda of law.

SO ORDERED.

Dated: March 5, 2025
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized "V" and "B".

Vernon S. Broderick
United States District Judge